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EXAMINER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/678,714	MIHAI ET AL.
	Examiner	Art Unit	
	Khanh B. Pham	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 March 2008*.
2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1,3-5,7,8,12,13,15 and 16* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1,3-5,7,8,12,13,15 and 16* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1.   A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on March 17, 2008 has been entered. Claims 1, 5, 7, 12, 13 have been amended. Claims 1, 3-5, 7-8, 12-13, 15-16 are pending.

Claim Objections

2.   Claim 1, 5, 12, 13 are objected to because of the following informalities: the claims recite the terms **"adapted to"** that may raise a question as to the limiting effect of the language in the claims. Language that suggests or makes optional but does not require steps to be performed or does not limit a claim to a particular structure does not limit the scope of a claim or claim limitation. For purpose of examination, the examiner interprets the terms "adapted to" as "for".

Claim Rejections - 35 USC § 102

3.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   **Claims 1, 3-5, 7-8, 12, 13, 15, 16** are rejected under 35 U.S.C. 102(e) as being anticipated by Kan et al. (US 7,171,415 B2), hereinafter "**Kan**".

As per claims 1, 5, 12, Kan teaches a method and system (See Fig.2) for a search framework (114) to provide search functionality to a web server (108, 112) across at least two search providers (120C, 120D), the search framework (114) being interposed between the web server and each of the search providers, said method comprising :

- "registering a first search method adapted to performing searches on a first of said at least two search providers; registering a second search method for performing searches on a second of said at least two search providers" at Col. 2 line 54 to Col. 3 line 3, Col. 15 line 47 to Col. 16 line 65;

- "registering a first response format for receiving search results from said first search provider; register a second response format for receiving search results from said second search provider" at Col. 10 lines 50-60 and Col. 15 lines 47-55;

- "detecting a request to the web server for a search on a selected search provider from among said first search provider and said second search provider, said selected search provider corresponding to a corresponding search method from

among said first search method and said second search method" at Col. 8 lines 10-25, Col. 2 line 54 to Col. 3 line 3;

- "providing to the web server a ubiquitous search method for performing said search utilizing said corresponding search method, the ubiquitous search method being generic with regard to any of the first and second search providers and the corresponding search methods thereof" at Col. 8 lines 10-25 and Col. 14 lines 51-67;

- "responding to a call from the web server to said ubiquitous search method by performing said search on the selected search provider utilizing said corresponding search method" at Col. 8 lines 10-25;

- "receiving a search result from the selected search provider in a response format corresponding to said selected search provider" at Col. 8 lines 20-30, and

- "providing said received search result to the web server in a ubiquitous format, the ubiquitous format being generic with regard to any of the first and second search providers and the corresponding format thereof" at Col. 13 line 45 to Col. 14 line 7 and Col. 14 line 51 to Col. 15 line 2.

As per claim 3, Kan teaches the method of claim 1, wherein "said method comprises reading search provider data regarding said first search provider and said second search provider from a configuration file" at Col. 9 lines 45-55.

As per claim 4, Kan teaches the method of claim 3, wherein "said method is implemented in conjunction with a web server, and where said configuration file is a web.config file" at Col. 9 lines 45-55 and Col. 11 lines 28-35.

As per claim 7 Kan teaches the method and system of claim 5, wherein "said step of providing said first and said second search results comprises: returning said first and said second search results in a unified format" at Col. 14 lines 55-60.

As per claim 8, Kan teaches the method and system of claims 7, where "said step of detecting a request for a search on said first search provider and second search provider comprises receiving response format data, and where said step of providing said first and said second search results comprises: returning said first and second search results according to said response format data" at Col. 13 line 45 to Col. 14 line 7 and Col. 14 lines 55-60.

As per claim 13, Kan teaches a system (See Fig.2) including a search framework (114) and a web server (108, 112) to provide search functionality across at least two search providers (120C, 120D), the search framework (114) being interposed between the web server and each of the search providers, said system comprising :

- "registration module for registering a first search method adapted to performing searches on a first of said at least two search providers; registering a second

search method for performing searches on a second of said at least two search providers" at Col. 2 line 54 to Col. 3 line 3, Col. 15 line 47 to Col. 16 line 65;

- "registering a first response format for receiving search results from said first search provider; register a second response format for receiving search results from said second search provider" at Col. 10 lines 50-60 and Col. 15 lines 47-55;

- "the first response format define an interface for receiving a number of items returned in a response to executing the first search method and an estimate number of total results returned in a response to executing the first search method, the second response format defining an interface for receiving a number of items returned in a response to executing the second search method and an estimate number of total results returned in a response to executing the second search method" at Col. 28 lines 20-65, Col. 32 lines 30-51, Col. 34 lines 5-10.

- "search request detection module for detecting a request to the web server for a search on a selected search provider from among said first search provider and said second search provider, said selected search provider corresponding to a corresponding search method from among said first search method and said second search method" at Col. 8 lines 10-25, Col. 2 line 54 to Col. 3 line 3;

- "ubiquitous search method provision module for providing to the web server a ubiquitous search method for performing said search utilizing said corresponding search method, the ubiquitous search method being generic with regard to any of the first and second search providers and the corresponding search methods thereof" at Col. 8 lines 10-25 and Col. 14 lines 51-67;

- "ubiquitous search method response module for responding to a call from the web server to said ubiquitous search method by performing said search on the selected search provider utilizing said corresponding search method" at Col. 8 lines 10-25;

- "receiving a search result from the selected search provider in a response format corresponding to said selected search provider" at Col. 8 lines 20-30, and

- "providing said received search result to the web server in a ubiquitous format, the ubiquitous format being generic with regard to any of the first and second search providers and the corresponding format thereof" at Col. 13 line 45 to Col. 14 line 7 and Col. 14 line 51 to Col. 15 line 2.

As per claim 15, Kan teaches the method and system of claim 13, wherein "said first and said second search results in a unified format" at Col. 14 lines 55-60.

As per claim 16, Kan teaches the method and system of claim15, where "said search request detection module receives response format data, and where said first and said second search results are provided according to said response format" at Col. 13 line 45 to Col. 14 line 7 and Col. 14 lines 55-60.

Response to Arguments

5.   Applicant's arguments filed March 17, 2008 have been fully considered but they

are not persuasive. The examiner respectfully traverses applicant's arguments.

        Regarding claim 1, applicant argued that Kan does not disclose "registering a

first search method adapted to perform searches on a first of said at least two search

provider" nor "registering a second search method adapted to perform searches on a

second of said at least two provider" because Kan only disclose registering "type of

queries" that a provider is able to respond. The examiner respectfully submits that Kan

teaches at Col. 2 lines 54-67 the provider registration includes **not only type of**

queries, but also "a **query-space** defines a structure for indicating and matching

search criteria", "**predicate statement** defines matching search criteria", and "**query**

server address to which matching search queries are to be directed." All information in

the provider registration defines a "search method" for a particular provider. For

example, Kan teaches at Col. 3 lines 1-2 that "the search query may be routed to the

query server address specified by one or more of the provider registration", which

indicates that the "query server address" in the provider registration is utilized to perform

the search of a particular search provider.

        Regarding claim 13, applicant argued that Kan does not teach "the first response

format defining an interface for receiving a number of items returned in a response to

executing the first search method and an estimated number of total results returned in a

response to executing the first method." On the contrary, Kan teaches at Col. 28 lines

20-65 (reproduced below) an XML 'result' document which defines an interface for

receiving a number of items returned in a response to executing the first search method.

Kan's Col. 32 lines 30-50 shows an example of a response format in response to a

particular query. Col. 34 line 5-10 show "number of hits expected from a provider" .

In one embodiment, providers may respond to queries
with an XML 'result' document, which may have the fol-
lowing DTD, for example:

25

```
<!DOCTYPE result [
<!ELEMENT result - - (base-href?, icon?, hit*)>
<!ELEMENT base-href - - (#PCDATA)>
<!ELEMENT icon - - (#PCDATA)>
<!ELEMENT hit - - (href, anchor, html?, relevance?)>
<!ELEMENT href - - (#PCDATA)>
<!ELEMENT anchor --(#PCDATA)>
<!ELEMENT html - - (#PCDATA)>
<!ELEMENT relevance - - (#PCDATA)>
]>
```

35

In this example, a result may include:
an optional base-href URL, providing defaults for URLs
    in the results.
an optional icon URL, providing an icon for the provider.
40   a sequence of hits.
Each hit may include:
an href URL, naming the location of this hit.
anchor text, describing the hit.
optionally, some html describing the hit.
45   optionally, the relevance of this hit, e.g. as a number
    between 1 and 100.
For example, an HTTP request of the form:

50

```
POST /search.jsp HTTP/1.0
Content-Type: text/xml
Schema: http://www.infrasearch.com/opensearch
<query><text>foo bar</text></query>,
```

55

might get an HTTP response of the form:

60

```
Content-Type: text/xml
<result>
    <icon>http://foo.com/images/icon.gif</icon>
    <base-url>http://foo.com/</base-url>
    <hit>
        <href>/documents/foo.txt</href>
        <anchor>Foo</anchor>
65        <relevance>50</relevance>
    </hit>
```

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner.

In the case of amending the Claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

The prior art made of record, listed on form PTO-892, and not relied upon, if any, is considered pertinent to applicant's disclosure.

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose telephone number is **(571) 272-3574** for faster service.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (571) 272-

4116. The examiner can normally be reached on Monday through Friday 7:30am to

4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

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Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Khanh B. Pham/
Primary Examiner
Art Unit 2166

June 6, 2008